

b.) Remarks

Claims 4 and 8 have been rewritten in independent form. Additionally, claims 1, 13, 16 and 20 are cancelled in order to reduce the issues and claims 3, 18, 19 and 22-24 are amended to correct their dependency. Claims 5, 9, 14, 17 and 21 are amended simply in order to recite the present invention with greater specificity. No new matter has been added.

Claims 2, 14, 17 and 21 are allowed. Additionally, claims 4-12 and 25-27 are indicated as reciting unobvious and patentable subject matter and are objected to only for depending on rejected claims. These claims would be allowable if rewritten in independent form.¹ In conformity with the Examiner's indication, claims 4 and 8 are now presented in independent form.

Claims 13, 15, 16, 18, 19, 20, 22-24 and 28-30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention since the Examiner states these claims fail to further limit the subject matter of their antecedent urethane claims. In response, claims 13, 16 and 20 are cancelled. Accordingly, this rejection is overcome.

Claims 1 and 3 are rejected under 35 U.S.C. §102(b) as being anticipated by Daniels (U.S. Patent No. 3,635,914). According to the Examiner, Daniels' Example 1 discloses polyurethanes having the structural unit (xxx) with at least two repeat units. By the above cancellation of claim 1, this rejection is mooted.

¹ As understood then, since claims 5 and 9 are already independent, they should have been allowed as well, together with claims 6/5, 7/5, 10/9, 11/9, 12/9, 25/6/5, 26/10/9 and 27/10/9.

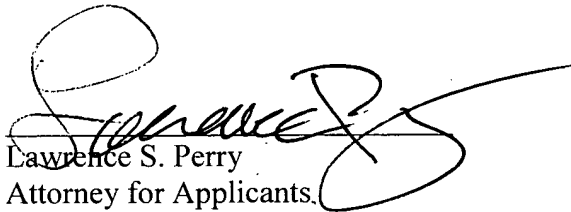
Regarding a final formal matter, the Examiner did not acknowledge the Bennevault publication filed in the Information Disclosure Statement of September 24, 2004. Confirmation that this art cited has been considered and will appear on the face of any patent issuing herein is respectfully requested in the next Patent Office communication.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 2-12, 14, 15, 17-19 and 21-30 remain presented for continued prosecution.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", is written over a horizontal line.

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